

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
CIVIL ACTION NO. 3:05CV316-C**

**ROBERT LOWINGER, Individually and On
behalf of All Others Similarly Situated,**

Plaintiff,

v.

**EUGENE B. JOHNSON, DANIEL G.
BERGSTEIN, KELSO INVESTMENT
ASSOCIATES V, L.P., KELSO EQUITY
PARTNERS V, L.P., FRANK K. BYNUM,
JR., GEORGE E. MATELICH, KELSO &
COMPANY and FAIRPOINT
COMMUNICATIONS, INC.,**

Defendants.

ORDER

THIS MATTER is before the Court on “Defendants’ Motion For Brian S. Appel To Appear Pro Hac Vice” (document #28) filed December 15, 2005. For the reasons set forth herein, the motion will be **GRANTED**.

Pursuant to Local Rule 83.1(B), counsel shall remit the required admission fee of \$100.00 to the Clerk of Court for the Western District of North Carolina within twenty-one (21) days of this Order.

The Clerk is directed to send copies of this Order to counsel for the parties, including but not limited to moving counsel.

SO ORDERED.

Signed: December 16, 2005

Carl Horn, III

Carl Horn, III
United States Magistrate Judge

